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Dkt.50634-B/JPW/JML

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Eric Rose et al.  
Serial No. : 09/053,872  
Filing Date : April 1, 1998 Art Unit: 1643  
For : METHOD FOR INHIBITING THROMBOSIS IN A  
PATIENT WHOSE BLOOD IS SUBJECTED TO  
EXTRACORPOREAL CIRCULATION

1185 Avenue of the Americas  
New York, New York 10036  
July 17, 1998

Assistant Commissioner for Patents  
Washington, D.C. 20231  
ATTN: Box Missing Parts  
Sir:

COMMUNICATION IN RESPONSE TO MAY 29, 1998 NOTICE  
TO FILE MISSING PARTS OF APPLICATION UNDER 37 C.F.R. §1.53(d)

This Communication is submitted in response to a Notice to File Missing Parts of Application under 37 C.F.R. §1.53(d) issued in connection with the above-identified patent application on May 29, 1998. A response to the May 29, 1998 Notice is due July 29, 1998. Accordingly, this Communication is being timely filed.

Applicants attach hereto a copy of the Notice as **Exhibit A**. Applicants hereby submit an executed Declaration and Power of Attorney pursuant to 37 C.F.R. §1.53(d) and in compliance with 37 C.F.R. §1.63 (**Exhibit B** hereto). The Declaration refers to the application's above-identified serial number and filing date.

Applicants submit herewith a copy of the Verified Statement (Declaration) Claiming Small Entity Status under 37 C.F.R. §1.9(f) and §1.27(d) which was filed on May 16, 1996 with parent application U.S. Serial No. 08/648,561 as **Exhibit C**. This Verified Statement was signed by the authorized official of the entity to whom the applicant has assigned the rights in the subject application, The Trustees of Columbia University in the City of New York, a nonprofit organization.

Eric Rose et al.  
U.S. Serial No.: 09/053,872  
Filed: April 1, 1998  
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The surcharge for responding to the Notice to File Missing Parts of Application under 37 C.F.R. §1.53(d) is SIXTY-FIVE DOLLARS (\$65.00) for a small entity. A check for this amount (\$65.00) is enclosed.

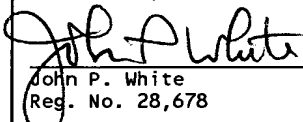
No fee other than the \$65.00 surcharge fee is deemed necessary in connection with the filing of this Communication. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

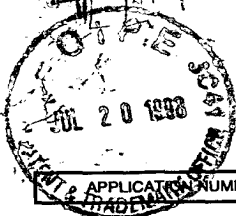
Respectfully submitted,



John P. White  
Registration No. 28,678  
Attorney for Applicants  
Cooper & Dunham, LLP  
1185 Avenue of the Americas  
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(212) 278-0400

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents  
Washington, D.C. 20231

 7/17/98  
John P. White Date  
Reg. No. 28,678



2921



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SECTOR 1  
#3

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/053,872 04/01/98 WHITE J 50634BJFWJML

0232/0529

JOHN P. WHITE  
COOPER & DUNHAM  
1185 AVENUE OF THE AMERICAS  
NEW YORK NY 10036

NOT ASSIGNED

1643  
DATE MAILED:

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
*Filing Date Granted*

05/29/98

7/29/98

11/29/98

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☐ non-small entity is \$ 30

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

07/28/1998 STIPEND 00000000 09052872  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

01 FC:2053. The oath or declaration 5.00 pp

- ☐ is missing or unexecuted.  
☐ does not cover the newly submitted items.  
☐ does not identify the application to which it applies.  
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE